

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MIKE PEREZ,	:	CIVIL ACTION NO. 1:04-CV-1944
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 8th day of October, 2008, upon consideration of plaintiff's motion for a refund of his filing fees (Doc. 165) and brief in support of the motion (Doc. 166), and it appearing that, no matter the stage of the litigation, filing fees are not refundable, see 28 U.S.C. § 1915(b)(1) (stating that "if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee"), and it further appearing that plaintiff cites no case law (see Doc. 166), nor was the Court able to find any, supporting a partial or total refund of the filing fee, See Leonard v. Lacy, 88 F.3d 181, 185 (2d Cir. 1996) (finding "... there is abundant legislative history to indicate that Congress was endeavoring to reduce frivolous prisoner litigation by making all prisoners seeking to bring lawsuits or appeals feel the deterrent effect created by liability for filing fees"), it is hereby ORDERED that the motion (Doc. 166) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge